**THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY**

**WRIT PETITION No. 7165 OF 2006**

**Dated 27th February, 2007**

Between:

S.T.V.N. Hindu High School, Pentapadu,
West Godavari District.

…Petitioner

And

The Government of Andhra Pradesh,
represented by its Secretary,
School Education Department,
Secretariat, Hyderabad and others.

…Respondents.

**ORAL ORDER:**

The petitioner is a High School and it filed an application seeking permission to fill up vacant aided posts numbering 5. The competent authority, the District Educational Officer, West Godavari, Eluru passed orders dated 13.9.2004 in proceedings Rc.No.17/B4/2004, permitting the petitioner to fill up the vacant aided posts. When the petitioner wanted to proceed with the selections, Memo No.12080/COSE/A2/2004-4, dated 20.10.2004 came to be issued by the Government imposing ban in filling up the vacancies. Hence, the petitioner filed this writ petition.

The validity of memo dated 20.10.2004 came to be considered by a Division Bench of this Court in Writ Appeal No.1578 of 2005 and batch, and, the Division Bench after consideration of the matter held that if the process of selection had begun prior to imposition of the ban, the ban orders issued by the government will not come in the way of filling up the posts. In view of the judgment of the Division Bench dated 29.12.2006 in Writ Appeal No.1578 of 2005 and batch, and, inasmuch as the petitioner in the instant case was permitted to fill up the vacancies by proceedings dated 13.9.2004, I dispose of the writ petition with a direction to consider the request of the petitioner to allow filling up of the vacancies without reference to the ban imposed in Memo dated 20.10.2004. However, such consideration shall be in accordance with the rules framed under G.O.Ms.No.1, dated 1.1.1994 and all other applicable instructions by the Government by way of various G.Os.

Subject to above directions, the writ petition is disposed of. No costs.

27.2.2007

**R.SUBHASH REDDY, J.**

**VR**